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September 10, 2002

Perry Clark, Esquire
Weil, Gotshal & Manges LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065

Re: Arthrocare Suit - Delaware
USDC-D. Del. - C.A. No. 01-504-SLR

Dear Perry:

I have enclosed a revised set of invalidity claim charts that correct some errors we found in the charts served on ArthroCare on September 6, 2002, and a chart -- Exhibit E -- that was inadvertently not included previously.

Very truly yours,

Kurtis MacFerrin

cc: Jack B. Blumenfeld, Esq., Morris, Nichols, Arsht & Tunnell

50107269.doc

Exhibit A:

Prior art references upon which Smith & Nephew presently intends to primarily rely.

#	Issue/ Pub'n Date	Patent Number/ Publication	Inventor/Author	Title
8	00/00/76	Acta Medicotechnica (Medizinal-Markt), Vol. 24, No. 4, 1976 129 – 134	E. Elsasser and E. Roos	Uber ein Instrument zur leckstromfreien transurethralen Resection (Concerning An Instrument for Transurethral resection without leakage of current)
10	07/20/76	US 3,970,088	Charles F. Morrison	Electrosurgical Devices Having Sesquipolar Electrode Structures Incorporated Therein
15	09/26/78	US 4,116,198 and its file history	Eberhard Roos	Electro-Surgical Device
22	04/27/82	US 4,326,529	James D. Doss and Richard L. Hutson	Corneal-Shaping Electrode
23	04/26/83	US 4,381,007	James D. Doss	Multipolar Corneal-Shaping Electrode with Flexible Removable Skirt
26	06/00/85	JACC Vol. 5, No. 6, 1382-6	Cornelis J. Slager, MSc, Catharina E. Essed, MD, Johan C.H. Schuurbiers, BSc, Nicolaas Bom, Ph.D, Patrick W. Serruys, MD, Geert T. Meester, MD, FACC	Vaporization of Atherosclerotic Plaques by Spark Erosion
29	00/00/87	Kardiologie, Kardiol.76: Supp. 6, 67-71 (1987)	C.J. Slager, A.C. Phaff, C.E. Essed, J.C.H. Schuurbiers, N. Bom, V.A. Vandenbroucke, and P.W. Serruys	Spark Erosion of Arteriosclerotic Plaques
31	06/23/87	US 4,674,499	David S.C. Pao	Coaxial Bipolar Probe
32	07/00/88	Valleylab Part Number 945 100 102 A	Valleylab, Inc.	Surgistat Service Manual

#	Issue/ Pub'n Date	Patent Number/ Publication	Inventor/Author	Title
34	00/00/89	SPIE Vol. 1068 Catheter-based Sensing and Imaging Technology	Paul C. Nardella	Radio Frequency Energy and Impedance Feedback
36	02/21/89	US 4,805,616	David S.C. Pao	Bipolar Probes for Ophthalmic Surgery and Methods of Performing Anterior Capsulotomy
38	04/00/89	JACC Vol. 13 No. 5, 1167-75	Benjamin I. Lee, MD, FACC, Gary J. Becker, MD, Bruce F. Waller, MD, FACC, Kevin J. Barry, MS, Raymond J. Connolly, Ph.D, Jonathan Kaplan, MD, Alan R. Shapiro, MS, Paul C. Nardella, BS	Thermal Compression and Molding of Atherosclerotic Vascular Tissue With Use of Radiofrequency Energy: Implications for Radiofrequency Balloon Angioplasty
48	12/11/90	US 4,976,711	David J. Parins, Mark A. Rydell, Peter Stasz	Ablation Catheter With Selectively Deployable Electrodes
51	04/16/91	US 5,007,908	Mark A. Rydell	Electrosurgical Instrument Having Needle Cutting Electrode And Spot-Coag Electrode
52	04/23/91	US 5,009,656	Harry G. Reimels	Bipolar Electrosurgical Instrument

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	1	2	3	4	5	6	7
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.	4:9-24						Fig. 2
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,							3:58-61
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.							
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	1:40-55	206	8:10:9:8	3:10-28	58	2:54-57	2:67-3:16
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.						1:45-50	
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.		206-07	3:49-4:14		58		
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).		211			58		

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	8	9	10	11	12	13	14
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.	7		4:31-43	2			
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,			5:50-57	3			
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.	1						
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	7	7:58-68	4:44-64	3	530	6:45-54	
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.	11	0.0479167		2	527		
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.		1:34-53					
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).		1:34-53					7:26-42

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	15	16	17	18	19	20	21
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.	5:3-10				2:34-46	2:35-58	
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,					2:34-46	2:35-58	
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.	3:5-20						
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	4:66-5:2	845	3:1-52	1:15-36	2:34-46	2:35-58	333
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.	1:18-27	845		2:21-63			334
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.				8:30-39	6:61-68	2:35-58	333
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).				8:30-39	5:46-6:7	2:35-58	333

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	22	23	24	25	26	27	28
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.		Fig. 1				3:30-47	
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,		Fig. 1-2				3:30-47	
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.		2:42-68			1383		
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	2:41-43	Fig. 9; 3:29-30	1425	100	1383	1:26-50	1:57-2:6
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.			1426	100	1383	1:26-50	
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.	3:46-51	3:30-38	1425		1383		7:62-8:14
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).	3:46-51	3:30-38	1425		1383		

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	29	30	31	32	33	34	35
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.	69		4:55-5:16				
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,	69		4:55-5:16				
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.		Fig. 5	Fig. 4		Fig. 2	44	
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	68	5:11-27	5:17-31				
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.	68		9:37-47			42	
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.	68				2:45-3:16	42	
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).	68			8	2:45-3:16		

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	36	37	38	39	40	41	42
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.				Fig. 5; 8:9-34	4:16-28	292	275
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,	4:4-39			Fig. 5; 8:9-34	4:36-43	292	275
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.							
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	4:40-58	662	1168	Fig. 5; 8:9-34	4:16-35	292	275
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.	2:16-34		1168	3:63-4:16	5:62-6:19	291	275
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.			1168		2:62-65		
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).							

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	43	44	45	46	47	48	49
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.				3:41-4:2	1:57-2:35	4:18-28	
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,				3:41-4:2	1:57-2:35	4:18-28	
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.			inherent	6:42		6:28	
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	2:8-18	3:48-51	5:7-19	3:41-4:2	1:57-2:35	3:65-4:17	3:27-44
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.	1:1-4	3:6-25		3:8-34	1:18-39		1:47-68
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.		3:36-41		6:5-30			
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).							

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	50	51	52	53	54	55	56
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.	3:17-23	3:35-57	2:63-3:5	3:37-64		2:62-68	1:61-2:11
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,	3:17-23	3:35-57	1:42-50	3:37-64		2:62-68	
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.		3:53					
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	1:40-51	3:35-57	1:42-50	3:37-64	670		1:61-2:11
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.	2:2-20	1:9-12	1:5-9	1:9-15	669	1:52-55	1:50-58
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.					669		
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).					672		

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	57	58	59	60	61	62	63
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.		4:27-33		3:52-66		3:12-27	
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,				3:52-66		3:12-27	
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.						Fig. 3	
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.				4:15-29	5:10-28	3:28-60	
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.	4:20-5:5	3:30-49	1:5-12			3:21-32	15:62-16:7
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.					4:28-48		
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).					4:28-48		3:21-32

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	64	65	66	67	68	69	70
46. An electrosurgical system as in claim 45, wherein							
the return electrode forms a portion of the shaft of the electrosurgical probe.				4:37-52	4:33-43		2:37-46
47. An electrosurgical system as in claim 46 further including							
an insulating member circumscribing the return electrode,				4:37-52	4:33-43		2:58-66
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.							
55. The electrosurgical system of claim 45 wherein							
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	5:44-63	5:20-36	1:63-2:17	4:37-52	4:33-43	3:13-16	2:37-46
56. The electrosurgical system of claim 45 wherein							
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.				1:10-15			
58. The electrosurgical system of claim 45 wherein							
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.		6:25-40					
59. The electrosurgical system of claim 45 wherein							
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).							

Exhibit B:

Examples of where each limitation of the dependent claims of the '536 patent may be found in each reference.

claim text \ reference	71	72	73
46. An electrosurgical system as in claim 45, wherein			
the return electrode forms a portion of the shaft of the electrosurgical probe.			5:36-58
47. An electrosurgical system as in claim 46 further including			
an insulating member circumscribing the return electrode,	5:36-58		
the return electrode being sufficiently spaced from the electrode terminal to minimize direct contact between the return electrode and the patient's tissue.		2:29-36	
55. The electrosurgical system of claim 45 wherein			
the electrode terminal comprises a single active electrode disposed near the distal end of the shaft.	3:43-53	2:36-41	6:8-22
56. The electrosurgical system of claim 45 wherein			
the target site is selected from the group consisting essentially of the abdominal cavity, thoracic cavity, knee, shoulder, hip, hand, foot, elbow, mouth, spine, ear, nose, throat, epidermis and dermis of the patient's body.		2:63-68	3:26-34
58. The electrosurgical system of claim 45 wherein			
the frequency of the voltage applied between the return electrode and the electrode terminal is in the range of about 20 kHz and 20 Mhz.			
59. The electrosurgical system of claim 45 wherein			
the voltage applied between the electrode terminal and the return electrode is in the range from 10 volts (RMS) to 1000 volts (RMS).			6:23-33

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	1	2	3	4	5	6
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	1:15-27	207	3:48-4:14	1:5-2:2	58-60	3:3-7
a return electrode electrically coupled to a high frequency voltage source;	1:15-27	207	3:48-4:14	1:5-2:2	58-60	3:3-7
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and		211	9:9-25	1:38-44		
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent		58,61	
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.						
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.		211			58	
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		211			58	
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						3:22-40
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.			5:3-5			
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.			5:3-5			
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and			inherent		58,61	

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	1	2	3	4	5	6
inducing the discharge of photons to the target site in contact with the vapor layer.						
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.			2:36-3:25			
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.		211			58	
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		211			58	
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.			8:10-9:8	3:10-28		
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	7	8	9	10	11	12
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	2:44-66	1	2:33-52	4:18-28	2	528
a return electrode electrically coupled to a high frequency voltage source;	2:44-66	1	2:33-52	4:18-28	2	528
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and		5	2:40-63			528
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.		1,6		6:54-7:5		
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.				5:58-66		
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.			1:34-53			
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.			1:34-53			
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.	3:17-32				2:1-14	
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.		inherent				529
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.		inherent				529
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and		1,6		6:54-7:5		

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	7	8	9	10	11	12
inducing the discharge of photons to the target site in contact with the vapor layer.				5:58-66		
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.					3	
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.			1:34-53			
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.			1:34-53			
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.			2:40-63			
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	13	14	15	16	17	18
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	4:15; 7:38-50		1:5-17	845-46	6:1-30	1:12-37
a return electrode electrically coupled to a high frequency voltage source;	4:15; 7:38-50		1:5-17	845-46	6:1-30	1:12-37
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and			5:26-30	848		3:67-4:3
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.	4:47		1:33-40			inherent
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.			3:31-33	845		
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.		7:26-42;Fig. 6				8:30-39
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		7:26-42;Fig.6				
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.						
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.						
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and	4:47		1:33-40			inherent

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	13	14	15	16	17	18
inducing the discharge of photons to the target site in contact with the vapor layer.			3:31-33	845		
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.	11:62-12:34					
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.		7:26-42; Fig. 6				8:30-39
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		7:26-42; Fig. 6				
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.						
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	19	20	21	22	23	24
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	2:33-46	2:35-58	333	2:21-58	2:42-68	1425
a return electrode electrically coupled to a high frequency voltage source;	2:33-46	2:35-58	333	2:21-58	2:42-68	1425
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	1:34-38	2:35-58	334	2:21-58	2:42-68; 3:66	1425
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.						
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.					3:30-38	
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.					3:30-38	
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.			334	2:47-51	3:65-68	1426
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.			334	2:47-51;Fig. 1	3:65-68	1426
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	19	20	21	22	23	24
inducing the discharge of photons to the target site in contact with the vapor layer.						
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.			333	5:31-33		1425
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.					3:30-38	
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.						
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	25	26	27	28	29	30
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	99	1383	2:38-66	2:23-33	67-68	4:32-5:10
a return electrode electrically coupled to a high frequency voltage source;	99	1383	2:38-66	2:23-33	67-68	4:32-5:10
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	100	1383	1:18; 3:48-53	5:28-31	68	4:48-58
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.		1382-83	inherent			inherent
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.		1382			68	5:11-27
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.		1383			68	
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		1383			68	
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.		1383				
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.	100	1383		1:57-2:6	68	
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.	100	1383		1:57-2:6	68	7:3-8:5
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and		1382-83	inherent			inherent

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	25	26	27	28	29	30
inducing the discharge of photons to the target site in contact with the vapor layer.		1382			68	5:11-27
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.		1383			68	
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.		1383			68	
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		1383			68	
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.		1383-84			68	
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.						
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	31	32	33	34	35	36
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	2:45-58		2:45-69	42	248	4:4-39
a return electrode electrically coupled to a high frequency voltage source;	2:45-58		2:45-69	42	248	4:4-39
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	3:31; 7:65		2:45-69	43	248	7:30-32
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.						
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.		8				
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		8				
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.	2:45-67					6:34-37
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.	7:3-8:5		5:4-30		248	7:26-52
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.					248	7:26-52
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	31	32	33	34	35	36
inducing the discharge of photons to the target site in contact with the vapor layer.						
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.	6:14-37					5:5-20
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.		8				
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.		8				
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.	2:45-3:10					
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	37	38	39	40	41	42
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	662-63	1168	5:1-47	2:62-65	291	275
a return electrode electrically coupled to a high frequency voltage source;	662-63	1168	5:1-47	2:62-65	291	275
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	663	1168		2:37-42	291	275
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.		1170				
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.			1:26-37			
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.	662	1168		5:62-6:19	291	275
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.	662	1168			291	275
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and		1170				

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	37	38	39	40	41	42
inducing the discharge of photons to the target site in contact with the vapor layer.			1:26-37			
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.		1168		5:59-61		
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.				5:43-53		
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
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Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	43	44	45	46	47	48
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	2:8-4:10	2:26-51	4:21-5:6	2:31-53	1:34	2:28
a return electrode electrically coupled to a high frequency voltage source;	2:8-4:10	2:26-51	4:21-5:6	2:31-53	1:34	2:28
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	11		3:48-55	6:42	6:4-60	5:39
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent	inherent		inherent
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.						
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.			3:48-4:7	6:39-45		5:65-6:19
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.			3:48-4:7			5:65-6:19
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and			inherent	inherent		inherent

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	43	44	45	46	47	48
inducing the discharge of photons to the target site in contact with the vapor layer.						
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.						
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.	2:8-18		3:40-47	6:39-45		3:65-4:17
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
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Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	49	50	51	52	53	54
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	1:55	2:21-63	2:41-3:58	3:1-32	2:28-55	670
a return electrode electrically coupled to a high frequency voltage source;	1:55	2:21-63	2:41-3:58	3:1-32	2:28-55	670
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	1:65	2:2-20	3:53	1:38	3:63-2:1	672
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent	4:10		
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.				4:3-18		670
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.						670
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.				1:53-61		
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.	3:45-68		3:35-57	2:24-29		
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.			3:35-57	2:24-29		
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and			inherent	4:10		

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	49	50	51	52	53	54
inducing the discharge of photons to the target site in contact with the vapor layer.				4:3-18		670
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.		3:40-50				
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.						670
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.	5:16-23					
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
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Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	55	56	57	58	59	60
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	2:7-46	1:61-2:12	3	3:9-49		4:45
a return electrode electrically coupled to a high frequency voltage source;	2:7-46	1;61-2:12	3	3:9-49		4:45
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	1:52-55		6			5:40
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.	3:15-31			1:42-53		
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.			6:7-15			
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.			6:7-15			
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	55	56	57	58	59	60
inducing the discharge of photons to the target site in contact with the vapor layer.	3:15-31			1:42-53		
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.						
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.						
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
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Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	61	62	63	64	65	66
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	3:30	2:35		2:5	5:34	2:1
a return electrode electrically coupled to a high frequency voltage source;	3:30	2:35		2:5	5:34	2:1
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	11:65-66	4:10-29			2:10; 6:65	2:10
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.					6:56	
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.	13:3-4	4:6-9	4:21-32		6:50-63	1:63-2:17
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.	4:28-48		3:21-32			
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.	4:28-48					
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.					6:64-7:10	3:24-33
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.					6:64-7:10	3:24-33
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and					6:56	

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	61	62	63	64	65	66
inducing the discharge of photons to the target site in contact with the vapor layer.	13:3-4	4:6-9	4:21-32		6:50-63	1:63-2:17
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.						
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.	4:28-48		3:21-32			
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.	4:28-48					
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.					5:55-61; 8:19-31	
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.		4:30-46				
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	67	68	69	70	71	72
1. A method for applying energy to a target site on a patient body structure comprising:						
providing an electrode terminal and	2:35	3:25	3:20	2:38	3:43-4:18	2:30
a return electrode electrically coupled to a high frequency voltage source;	2:35	3:25	3:20	2:38	3:43-4:18	2:30
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	4:10			3:1		4:33
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
13. The method of claim 1 wherein						
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.			1:22-34		7:17-37	
17. The method of claim 1 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
18. The method of claim 1 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
21. The method of claim 1 wherein						
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.						
23. The method of claim 1 wherein						
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.	4:4-11			2:67-3:8		
24. The method of claim 1 wherein						
the liquid phase of the electrically conductive fluid comprises isotonic saline.	4:4-11			2:67-3:8		
29. The method of claim 28 wherein the applying step comprises:						
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	67	68	69	70	71	72
inducing the discharge of photons to the target site in contact with the vapor layer.			1:22-34		7:17-37	
47. The method of claims 23 or 48[1] wherein						
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.						2:42-54
48. The method of claims 26 and 28 wherein						
the high frequency voltage is at least 200 volts peak to peak.						
49. The method of claims 26 and 28 wherein						
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.						
50. The method of claims 26 and 28 wherein						
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.						
54. The method of claims 23 or 48[2] further comprising						
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.	3:64-4:3	2:65-3:22		3:44-53		
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.						

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	73
1. A method for applying energy to a target site on a patient body structure comprising:	
providing an electrode terminal and	4:35
a return electrode electrically coupled to a high frequency voltage source;	4:35
positioning the active electrode in close proximity to the target site in the presence of an electrically conducting terminal [sic]; and	6:45-55
applying a high frequency voltage between the electrode terminal and the return electrode, the high frequency voltage being sufficient to vaporize the fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.	
13. The method of claim 1 wherein	
at least a portion of the energy induced is in the form of photons having a wavelength in the ultraviolet spectrum.	2:22-34
17. The method of claim 1 wherein	
the high frequency voltage is at least 200 volts peak to peak.	6:23-33
18. The method of claim 1 wherein	
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.	
21. The method of claim 1 wherein	
the distance between the most proximal portion of the electrode terminal and the most distal portion of the return electrode is in the range from 0.5 to 10 mm.	
23. The method of claim 1 wherein	
the liquid phase of the electrically conducting fluid has a conductivity greater than 2 mS/cm.	
24. The method of claim 1 wherein	
the liquid phase of the electrically conductive fluid comprises isotonic saline.	
29. The method of claim 28 wherein the applying step comprises:	
vaporizing the electrically conducting fluid in a thin layer over at least a portion of the electrode terminal; and	

Exhibit C:

Examples of where each limitation of the dependent claims of the '882 patent may be found in each reference.

claim text \ reference	73
inducing the discharge of photons to the target site in contact with the vapor layer.	2:22-34
47. The method of claims 23 or 48[1] wherein	
the electrode terminal has a contact surface area in the range of about 0.25 mm^2 to 50 mm^2.	
48. The method of claims 26 and 28 wherein	
the high frequency voltage is at least 200 volts peak to peak.	6:23-33
49. The method of claims 26 and 28 wherein	
the high frequency voltage is in the range from about 500 to 1400 volts peak to peak.	
50. The method of claims 26 and 28 wherein	
the electrode terminal is positioned between 0.02 to 2.0 mm from the target site.	
54. The method of claims 23 or 48[2] further comprising	
evacuating fluid generated at the target site with a suction lumen having a distal end adjacent the electrode terminal.	
[1] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.	
[2] The Certificate of Correction dated May 2, 2000, refers to claim numbers 23 or 48; no certificate of correction has been requested, let alone issued, to correct this or any other claim to refer to claims 1 and 28, respectively, as ArthroCare suggests and assumes.	

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	1	2	3	4	5	6
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and			5:3-5; 9:8-25			2:55-3:2
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.						
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.			5:3-5; 9:8-25			2:55-3:2
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	1:40-55	206	8:10-9:8	3:10-28	58	2:54-57
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.			5:3-5			
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.						
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent		58,61	
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		211			58	
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and			5:3-5; 9:8-25			2:55-3:2

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	1	2	3	4	5	6
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.						
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.			5:3-5; 9:8-25			2:55-3:2
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	1:40-55	206	8:10-9:8	3:10-28	58	2:54-57
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.			5:3-5			
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.						
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent		58,61	
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		211			58	

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	7	8	9	10	11	12
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and		11	2:40-63			529
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.		1, 11				
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.		11	2:40-63			529
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	2:67-3:16	7	7:58-68	4:44-64	3	530
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.		inherent				529
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.		1, 11				
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.		1,6		6:54-7:5		
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.			1:34-53			
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and		11	2:40-63			529

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	7	8	9	10	11	12
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.		1, 11				
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.		11	2:40-63			529
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	2:67-3:16	7	7:58-68	4:44-64	3	530
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.		inherent				529
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.		1, 11				
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.		1,6		6:54-7:5		
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.			1:34-53			

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	13	14	15	16	17	18
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and			7:45-62			1:65-2:21
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.			3:5-20; 5:21-30			
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.			7:45-62			1:65-2:21
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	6:45-54		4:66-5:2	845	3:1-52	1:15-36
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.						
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode			3:5-20; 5:21-30			
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.	4:47		1:33-40			inherent
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		7:26-42; Fig. 6				
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and			7:45-62			1:65-2:21

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	13	14	15	16	17	18
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.			3:5-20; 5:21-30			
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.			7:45-62			1:65-2:21
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	6:45-54		4:66-5:2	845	3:1-52	1:15-36
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.						
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.			3:5-20; 5:21-30			
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.	4:47		1:33-40			inherent
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		7:26-42; Fig. 6				

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	19	20	21	22	23	24
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	3:1-16	2:59-3:5	334	2:25-31	2:51-55	1425
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.				2:25-31	2:42-68; 3:65-4:7	1426
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.			334	2:25-31; Figs. 1-2	2:51-55	1425
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	2:34-46	2:35-58	333	2:41-43	Fig. 9; 3:29-30	1425
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.			334	2:47-51; Fig. 1	3:65-68	1426
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.				2:25-31	2:42-68; 3:65-4:7	1426
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.					3:30-38	
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	3:1-16	2:59-3:5	334	2:25-31	2:51-55	1425

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	19	20	21	22	23	24
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.				2:25-31	2:42-68; 3:65-4:7	1426
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.			334	2:25-31; Figs. 1-2	2:51-55	1425
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	2:34-46	2:35-58	333	2:41-43	Fig. 9; 3:29-30	1425
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.			334	2:47-51; Fig. 1	3:65-68	1426
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.				2:25-31	2:42-68; 3:65-4:7	1426
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.						
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.					3:30-38	

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	25	26	27	28	29	30
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	100	1383		5:12-35	68	
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.	100	1383		1:57-2:6	68	Fig. 5
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.	100	1383			68	
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	100	1383	1:26-50	1:57-2:6	68	5:11-27
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.	100	1383		1:57-2:6	68	
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode	100	1383		1:57-2:6	68	Fig. 5
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.		1382-83	inherent			inherent
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		1383			68	
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	100	1383		5:12-35	68	

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	25	26	27	28	29	30
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.	100	1383		1:57-2:6	68	Fig. 5
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.	100	1383			68	
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	100	1383	1:26-50	1:57-2:6	68	5:11-27
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.	100	1383		1:57-2:6	68	
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.	100	1383		1:57-2:6	68	Fig. 5
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.		1382-83	inherent			inherent
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		1383			68	

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	31	32	33	34	35	36
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	7:3-8:5		5:4-30		248	7:26-52
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.	Fig. 4		Fig. 2; 5:4-30	44		7:26-52
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.	2:45-3:10				248	7:26-52
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	5:17-31					4:40-58
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.	7:3-8:5				248	7:26-52
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.	Fig. 4		Fig. 2; 5:4-30	44		7:26-52
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		8				
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	7:3-8:5		5:4-30		248	7:26-52

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	31	32	33	34	35	36
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.	Fig. 4		Fig. 2; 5:4-30	44		7:26-52
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.	2:45-3:10				248	7:26-52
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	5:17-31					4:40-58
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.	7:3-8:5				248	7:26-52
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.	Fig. 4		Fig. 2; 5:4-30	44		7:26-52
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.						
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.		8				

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	37	38	39	40	41	42
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	662	1168	1:64-2:17	5:62-6:19	291	275
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.	662					
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.	662	1168	1:64-2:17		291	275
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	662	1168	Fig. 5; 8:9-34	4:16-35	292	275
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.	662	1168			291	275
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.	662					
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.		1170				
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	662	1168	1:64-2:17	5:62-6:19	291	275

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	37	38	39	40	41	42
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.	662					
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.	662	1168	1:64-2:17		291	275
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	662	1168	Fig. 5; 8:9-34	4:16-35	292	275
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.	662	1168			291	275
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.	662					
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.		1170				
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	43	44	45	46	47	48
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	11:1-20		3:48-4:7	6:39-45		3:65-4:17
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.			inherent	6:42; 3:8-34		6:28; 5:65-6:19
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.	11:1-20		3:48-4:7	6:39-45		3:65-4:17
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	2:8-18	3:48-51	5:7-19	3:41-4:2	1:57-2:35	3:65-4:17
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.			3:48-4:7			5:65-6:19
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.			inherent	6:42; 3:8-34		6:28; 5:65-6:19
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent	inherent		inherent
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	11:1-20		3:48-4:7	6:39-45		3:65-4:17

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	43	44	45	46	47	48
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.			inherent	6:42; 3:8-34		6:28; 5:65-6:19
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.	11:1-20		3:48-4:7	6:39-45		3:65-4:17
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	2:8-18	3:48-51	5:7-19	3:41-4:2	1:57-2:35	3:65-4:17
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.			3:48-4:7			5:65-6:19
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.			inherent	6:42; 3:8-34		6:28; 5:65-6:19
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent	inherent		inherent
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	49	50	51	52	53	54
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	1:47-68		3:30-34	2:24-29	3:37-64	
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.	1:47-68		3:35-57	1:30-39	3:37-64	
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.	1:47-68		3:30-34	2:24-29	3:37-64	
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	3:27-44	1:40-51	3:35-57	1:42-50	3:37-64	670
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.			3:35-57	2:24-29		
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.	1:47-68		3:35-57	1:30-39	3:37-64	
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent	4:10		
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	1:47-68		3:30-34	2:24-29	3:37-64	

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	49	50	51	52	53	54
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.	1:47-68		3:35-57	1:30-39	3:37-64	
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.	1:47-68		3:30-34	2:24-29	3:37-64	
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	3:27-44	1:40-51	3:35-57	1:42-50	3:37-64	670
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.			3:35-57	2:24-29		
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode	1:47-68		3:35-57	1:30-39	3:37-64	
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.			inherent	4:10		
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	55	56	57	58	59	60
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and			6:7-15			4:30-37
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.			6:7-15			
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.			6:7-15			4:30-37
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.		1:61-2:11				4:15-29
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.			6:7-15			
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.			6:7-15			
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and			6:7-15			4:30-37

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	55	56	57	58	59	60
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.			6:7-15			
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.			6:7-15			4:30-37
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.		1:61-2:11				4:15-29
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.			6:7-15			
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode			6:7-15			
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.						
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	61	62	63	64	65	66
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and		4:30-46		4:23-31	6:64-7:10	1:63-2:17
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.		Fig. 3				
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.		4:30-46		4:23-31	6:64-7:10	1:63-2:17
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	5:10-28	3:28-60		5:44-63	5:20-36	1:63-2:17
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.					6:64-7:10	3:24-33
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.		Fig. 3				
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.					6:56	
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.	4:28-48					
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and		4:30-46		4:23-31	6:64-7:10	1:63-2:17

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	61	62	63	64	65	66
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.		Fig. 3				
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.		4:30-46		4:23-31	6:64-7:10	1:63-2:17
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	5:10-28	3:28-60		5:44-63	5:20-36	1:63-2:17
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.					6:64-7:10	3:24-33
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.		Fig. 3				
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.					6:56	
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.	4:28-48					

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	67	68	69	70	71	72
3. The method of claim 1 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	4:4-11	2:65-3:22		2:67-3:8		
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.	4:4-11			2:67-3:8		2:29-36
4. The method of claim 1 further comprising						
delivering the electrically conductive fluid to the target site.	4:4-11	2:65-3:22		2:67-3:8		
9. The method of claim 1 wherein						
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	4:37-52	4:33-43	3:13-16	2:37-46	3:43-53	2:36-41
11. The method of claim 1 wherein						
the electrically conductive fluid comprises isotonic saline.	4:4-11			2:67-3:8		
13. The method of claim 1 wherein						
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.	4:4-11			2:67-3:8		2:29-36
18. The method of claim 1 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.						
21. The method of claim 1 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						
26. The method of claim 23 further comprising						
immersing the target site within a volume of the electrically conductive fluid and	4:4-11	2:65-3:22		2:67-3:8		

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	67	68	69	70	71	72
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.	4:4-11			2:67-3:8		2:29-36
27. The method of claim 23 further comprising						
delivering the electrically conductive fluid to the target site.	4:4-11	2:65-3:22		2:67-3:8		
30. The method of claim 23 wherein						
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	4:37-52	4:33-43	3:13-16	2:37-46	3:43-53	2:36-41
32. The method of claim 23 wherein						
the electrically conductive fluid comprises isotonic saline.	4:4-11			2:67-3:8		
34. The method of claim 23 wherein						
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.	4:4-11			2:67-3:8		2:29-36
39. The method of claim 23 further comprising						
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.						
42. The method of claim 23 wherein						
the voltage is in the range from 500 to 1400 volts peak to peak.						

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	73
3. The method of claim 1 further comprising	
immersing the target site within a volume of the electrically conductive fluid and	3:60-4:3
positioning the return electrode within the volume of electrically conductive fluid to generate the current flow path between the electrode terminal and the return electrode.	
4. The method of claim 1 further comprising	
delivering the electrically conductive fluid to the target site.	3:60-4:3
9. The method of claim 1 wherein	
the electrode terminal comprises a single active electrode disposed near the distal end of an instrument shaft.	6:8-22
11. The method of claim 1 wherein	
the electrically conductive fluid comprises isotonic saline.	
13. The method of claim 1 wherein	
the return electrode is spaced from the electrode terminal such that when the electrode terminal is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the electrode terminal and the return electrode.	
18. The method of claim 1 further comprising	
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the electrode terminal and to induce the discharge of energy to the target site in contact with the vapor layer.	
21. The method of claim 1 wherein	
the voltage is in the range from 500 to 1400 volts peak to peak.	
26. The method of claim 23 further comprising	
immersing the target site within a volume of the electrically conductive fluid and	3:60-4:3

Exhibit D:

Examples of where each limitation of the dependent claims of the '592 patent may be found in each reference.

claim text \ reference	73
positioning the return electrode within the volume of electrically conductive fluid to generate a current flow path between the active electrode and the return electrode.	
27. The method of claim 23 further comprising	
delivering the electrically conductive fluid to the target site.	3:60-4:3
30. The method of claim 23 wherein	
the active electrode comprises a single active electrode disposed near the distal end of an instrument shaft.	6:8-22
32. The method of claim 23 wherein	
the electrically conductive fluid comprises isotonic saline.	
34. The method of claim 23 wherein	
the return electrode is spaced from the active electrode such that when the active electrode is brought adjacent a tissue structure immersed in electrically conductive fluid, the return electrode is spaced from the tissue structure and the electrically conductive fluid completes a conduction path between the active electrode and the return electrode.	
39. The method of claim 23 further comprising	
applying a sufficient high frequency voltage difference to vaporize the electrically conductive fluid in a thin layer over at least a portion of the active electrode and to induce the discharge of energy to the target site in contact with the vapor layer.	
42. The method of claim 23 wherein	
the voltage is in the range from 500 to 1400 volts peak to peak.	

Exhibit E:
Anticipation and obviousness contentions

Smith & Nephew contends that the following claims are anticipated by at least each of the following primary references. Smith & Nephew reserves the right to supplement this contention in the event ArthroCare changes its construction of the asserted claims, or in the event the Court's construction of the asserted claims differs.

Patent	Claim	References
536	46	8, 15, 23, 29, 31, 48, 51, 52
	47	23, 31, 48, 51
	55	8, 15, 22, 23, 26, 29, 31, 36, 38, 48, 51, 52, 65
	56	8, 15, 26, 29, 31, 36, 38, 51, 52
	58	22, 23, 26, 29, 38, 65
	59	22, 23, 26, 29
882	1	8, 15, 26, 38, 48, 51, 52, 65
	13	15, 26, 52, 65
	17	26
	18	26
	21	26, 52
	23	8, 26, 38, 48, 51, 52, 65
	24	8, 26, 38, 48, 51, 52, 65
	29	15, 26, 65
	47	26, 29, 38
	48	26, 29
	49	26, 29
	50	26, 29, 65
	54	48
592	3	8, 15, 23, 26, 31, 48, 51
	4	8, 15, 23, 26, 31, 48, 51
	9	8, 15, 23, 26, 31, 48, 51
	11	8, 23, 26, 31, 48, 51
	13	8, 15, 23, 26, 31, 48, 51
	18	8, 15, 26, 48, 51
	21	23, 26
	26	8, 15, 31, 48, 51
	27	8, 15, 31, 48, 51
	30	8, 15, 31, 48, 51
	32	8, 31, 48, 51
	34	8, 15, 31, 34, 48, 51
	39	8, 15, 48, 51
	42	

Smith & Nephew also contends that the following claims would have been obvious to one of ordinary skill in the art at the time of the invention in view of at least each of the following combinations of primary references, which Smith & Nephew contends would have been combined for at least the following reasons. Smith & Nephew reserves the right to supplement this contention in the event ArthroCare changes its construction of the asserted claims, or in the event the Court's construction of the asserted claims differs.

Patent	Claim	Combinations	Motivation to Combine
536	46	10 with any one or more of 22, 26, 36, 38, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	47	Any one or more of 8, 15, 26, 29, 36, 52 with any one or more of 10, 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	55	10 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	56	34 with any one or more of 48, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	58	Any one or more of 8, 15, 31, 48, 51, 52 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.

Patent	Claim	Combinations	Motivation to Combine
	59	32 with any one or more of 8, 15, 31, 38, 48, 51, 52, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
882	1	10 with any one or more of 22, 23, 29, 31, 34, 36; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	13	Any one or more of 10, 29 with any one or more of 8, 38, 48, 51; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	17	Any one or more of 23, 29, 32 with any one or more of 8, 15, 38, 48, 51, 52, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	18	Any one or more of 23, 29, 32 with any one or more of 8, 15, 38, 48, 51, 52, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	21	Any one or more of 31, 36 with any one or more of 8, 15, 38, 48, 51, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	23	Any one or more of 22, 23, 29, 31, 36 with 15; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.

Patent	Claim	Combinations	Motivation to Combine
	24	Any one or more of 22, 23, 29, 36 with 15; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	29	Any one or more of 10, 48, 52 with any one or more of 8, 29; any one or more of the preceding with any one or more of the anticipating references listed above; 38, 51 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	47	Any one or more of 22, 31, 36 with any one or more of 8, 15, 48, 51, 52, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	48	Any one or more of 23, 32 with any one or more of 8, 15, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	49	32 with any one or more of 8, 15, 65; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	50	Any one or more of 8, 15 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	54	31 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.

Patent	Claim	Combinations	Motivation to Combine
592	3	Any one or more of 22, 29, 36, 52 with 34; any one or more of the preceding with any one or more of the anticipating references listed above; 38, 65 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	4	Any one or more of 22, 29, 36, 38, 52, 65 with 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	9	Any one or more of 10, 22, 29, 36, 38, 52, 65 with 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	11	Any one or more of 22, 29, 36, 38, 52, 65 with any one or more of 15, 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	13	Any one or more of 22, 29, 36, 52 with 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	18	Any one or more of 10, 38, 52, 65 with any one or more of 23, 31, 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.

Patent	Claim	Combinations	Motivation to Combine
	21	Any one or more of 29, 32 with any one or more of 8, 15, 31, 34, 48, 51; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	26	Any one or more of 22, 23, 26, 29, 36, 52 with 34; any one or more of the preceding with any one or more of the anticipating references listed above; 38, 65 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	27	Any one or more of 22, 23, 26, 29, 36, 38, 52, 65 with 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	30	Any one or more of 10, 22, 23, 26, 29, 36, 38, 52, 65 with 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	32	Any one or more of 22, 23, 26, 29, 36, 38, 52, 65 with any one or more of 15, 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	34	Any one or more of 22, 23, 26, 29, 36, 52 with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.

Patent	Claim	Combinations	Motivation to Combine
	39	Any one or more of 10, 26, 38, 52, 65 with any one or more of 31, 34; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.
	42	Any one or more of 23, 26, 29, 32 with any one or more of 8, 15, 31, 34, 48, 51; any one or more of the preceding with any one or more of the anticipating references listed above.	Each reference is directed to the same problem -- applying electrical energy to a target site on a patient's body structure.